

Wetlands Bureau Decision Report

Decisions Taken
09/22/2008 to 09/28/2008

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2008-01938 NH DEPT OF TRANSPORTATION
HARTS LOCATION Saco River

Requested Action:

Temporarily stabilize 150 linear feet of embankment using rip rap impacting 5,400 sq. ft. including a temporary road.

Conservation Commission/Staff Comments:

DES River Coordinator is OK with proposal.

Inspection Date: 06/25/2008 by Gino E Infascelli

APPROVE PERMIT:

Temporarily stabilize 150 linear feet of embankment using rip rap impacting 5,400 sq. ft. including a temporary road. NHDOT M112-0802.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated 7/08 and construction sequence as received by the Department on September 12, 2008.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas not stabilized with stone shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done during low flow.
10. All of the items listed in the construction sequence shall be performed prior to the removal of the equipment from the project site.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), alteration of more than 200 linear feet of channel and banks of a river.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 25, 2008. Field inspection determined that the temporary impacts along a designated river are allowable under RSA 483:9.
6. Information from the NH Natural Heritage Bureau, received on September 24, 2008, indicates that if all of the work occurs on the west side of the highway there will not be an issue with the noted species.
7. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2007-03008 SHAKY POND DEVELOPMENT NEW BOSTON Unnamed Wetland

Requested Action:

Approve amendment to consolidate lot 15-9 into the conservation easement.

Conservation Commission/Staff Comments:

Related files 2006-02986 (6,900) 2004-02715 (2,078 square feet), 2005-02916 (270), 2005-02917 (2,140), and possibly 2003-02526 (5,150) .

APPROVE AMENDMENT:

Dredge and fill 6,600 sq. ft. of Bog Brook and an unnamed intermittent stream to install two (2) 10-foot open-bottomed box culverts for road access to a 18-lot (17 building lots) subdivision on \pm 108 acres.

With Conditions:

1. All work shall be in accordance with plans dated December 21, 2007, and revised through April 24, 2008, as received by DES on June 17, 2008 and subdivision plans dated August 01, 2007, and revised through July 25, 2008, as received by the DES on August 01, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
8. Work shall be done during annual low flow conditions.
9. In the event stream diversion is required at the time of construction, this permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. There shall be no excavation or operation of construction equipment in flowing water.
14. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
16. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

17. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
18. Temporary cofferdams shall be entirely removed immediately following construction.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

The DES Wetlands Bureau reaffirms original findings no.'s 1 - 7 and 9 - 12:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. Two pre-application meetings were held at DES on March 06, 2007, and December 04, 2007.
3. The applicant has revised the preliminary proposal to eliminate a loop road, second Bog Brook crossing, second intermittent stream crossing and reduce the number of proposed building lots.
4. The applicant has provided open-bottom box culverts that span the average bankfull width of the streams.
5. Army Corps of Engineers (ACOE) correspondence dated February 25, 2008, relayed Environmental Protection Agency (EPA) and U.S. Fish and Wildlife Service (USFWS) concerns. Concerns included the absence of a vernal pool survey and details regarding protection of the easement. The proposed lot, house and septic locations in relation to the vernal pools were also mentioned.
6. Agent response to the March 18, 2008 Request for More Information, including a vernal pool survey was received by DES on June 17, 2008. The ACOE, EPA and New Boston Conservation Commission were copied on the submittal.
7. In email correspondence date June 25, 2008, the USFWS indicated they would not be commenting on the project.
8. In correspondence dated April 24, 2008, the New Hampshire Fish and Game Department indicated they did not require any additional information given the conservation easement and stream crossings were proposals were those discussed during the pre-application meetings.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

The DES Wetlands Bureau also makes the following findings:

12. Additional comments from the EPA were received by DES on July 22, 2008, outlining changes required for the approval under the SPGP process. These comments included adding lot 15-9 to the protected area in order to avoid the indirect impacts to vernal pool no.'s 2 and 6.
13. The amendment request from the applicant that incorporated revisions in response to the July 22, 2008 EPA comments was received by the DES Wetlands Bureau on August 01, 2008.
14. Consolidating lot 15-9 into the protected area will reduce the number of buildable lots from 18 to 17, increase the protected area from 54 acres to 58.9 acres and will incorporate vernal pool no.'s 2 and 6 into the protected area.

2008-01330 BIGONY, FREDRICK
WOLFEBORO Lake Winnepesaukee

Requested Action:

Add a 6 ft x 25 ft permanent crib supported dock to an existing 6 ft x 35 ft crib supported dock resulting in a 6 ft x 60 ft dock supported by three 6 ft x 6 ft cribs on an average of 287 ft of frontage on Lake Winnepesaukee, Wolfefboro.

Conservation Commission/Staff Comments:

July 29, 2008, Con Com submitted comments, existing dock may be full crib

Aug 28, 2008, Con Com submitted comments, dock supported by two 5 x 5 cribs.

APPROVE PERMIT:

Add a 6 ft x 25 ft permanent crib supported dock to an existing 6 ft x 35 ft crib supported dock resulting in a 6 ft x 60 ft dock supported by three 6 ft x 6 ft cribs on an average of 287 ft of frontage on Lake Winnepesaukee, Wolfefboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated June 30, 2008, as received by the Department on July 17, 2008.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 60 ft lakeward at full lake elevation of 504.32.
9. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
10. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
11. The minimum clear spacing between cribs shall be 12 feet.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of any docking system that provides for 4 boat slips including previously existing boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 287 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

MINIMUM IMPACT PROJECT

2008-00087

JONES, JOHN

CONWAY

Requested Action:

Proposal to dredge and fill approximately 4160 sq. ft. of wetlands and an associated intermittent stream for construction a access road to a proposed barn. Work in wetlands consists of one wetlands crossing including a 18 in. x 40 ft. culvert associated filling and grading and one intermittent stream crossing with a 18 in. x 40 ft. culvert and associated filling and grading.

APPROVE PERMIT:

Dredge and fill approximately 2310 sq. ft. of wetlands and an associated intermittent stream for construction of an access road to a proposed barn on a single family building lot. Work in wetlands consists of three crossings: one crossing including a 12 in. x 24 ft. HDPE culvert and a 12 in. x 25 ft. HDPE culvert, associated filling and grading, one crossing including a 12 in. x 26 ft. HDPE culvert, associated filling and grading and one intermittent stream crossing including a 36 in. wide x 24 in. high x 32 ft. long pipe arch culvert with associated outlet protection, filling and grading.

With Conditions:

1. All work shall be in accordance with plans by Civil Solutions, LLC dated August 12, 2008, as received by DES on August 27, 2008.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The impacts were reduced from 4160 sq. ft. to 2310 sq. ft. and a larger diameter culvert was added to the proposed intermittent stream crossing.
6. The Conway Conservation Commission submitted comments stating they found no problems with the information presented. However, there were no profiles or cross-section for the proposed culvert to review and no information on storm size for the culvert.
7. The applicant submitted revised plans with additional culverts, increased culvert size, grading, roadway profiles with culverts and drainage calculations for the proposed intermittent stream crossing.

2008-00177 BROWN ASH LLC, BRIAN YOUNG
PLYMOUTH Unnamed Wetland

Requested Action:

Dredge and fill 2993 square feet for lot development on a commercial lot.

APPROVE PERMIT:

Dredge and fill 2993 square feet for lot development on a commercial lot.

With Conditions:

1. All work shall be in accordance with plans by Farmhouse Land Development dated January 2008 and revised through January 28, 2008, as received by the Department on February 6, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
6. Work shall be done during low flow.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. All work shall be done from the top of the bank.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Mulch within the restoration area shall be straw.
12. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

16. Silt fencing must be removed once the area is stabilized.

17. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2008-01957 GAVIN, FRANCIS & ROBIN
BROOKLINE Unnamed Stream

COMPLETE NOTIFICATION:
Brookline Tax Map F, Lot# 18 & 18-7

2008-01958 BRADLEY, RALPH
THORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Thornton Tax Map 3, Lot# 6-1

2008-01959 NETTLETON, DON & TAMMY
DEERING Unnamed Stream

COMPLETE NOTIFICATION:
Deering Tax Map 231, Lot# 6

2008-01960 FORTIN, RICHARD & HOLLY
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Snowville Tax Map/Lot# U2/17 & R10/38

2008-01961 BRACKETT, ROSELYN
PITTSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Pittsfield Tax Map R11, Lot# 7

**2008-01962 DRED
HILL Unnamed Stream**

COMPLETE NOTIFICATION:
Hill Tax Map/Lot# R5/12 & R6/4 Wade State Forest

**2008-01963 BISHOP, DOUGLAS & JEAN
RUMNEY Unnamed Stream**

COMPLETE NOTIFICATION:
West Rumney Tax Map 7, Lot# 23 & 24

**2008-01966 NYE, BENJAMIN & JENNIFER PYLE
SANDWICH Unnamed Stream**

COMPLETE NOTIFICATION:
Sandwich Tax Map R3, Lot# 55 & 61

**2008-01967 WALLMAN, CARL
PITTSFIELD Unnamed Stream**

COMPLETE NOTIFICATION:
Pittsfield Tax Map R10, Lot# 3,4,5,7 & 10

**2008-01968 TOWLE, GEORGE
EPSOM Unnamed Stream**

COMPLETE NOTIFICATION:
Epsom Tax Map R8, Lot# 4

**2008-01969 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
DIX GRANT Unnamed Stream**

COMPLETE NOTIFICATION:
Dixs Grant Tax Map 1626, Lot# 32

**2008-01971 GRIDLEY, BARBARA
WAKEFIELD Unnamed Stream**

COMPLETE NOTIFICATION:
Wakefield Tax Map 36, Lot# 1

2008-01973 DOWNS, DAVID & NORMA
MADISON Unnamed Stream

COMPLETE NOTIFICATION:
Madison Tax Map 258, Lot# 2, 3

2008-01975 MORSE TRUST, JOHN
WILMOT Unnamed Stream

COMPLETE NOTIFICATION:
Wilmot Tax Map 7, Lot# 12

2008-01976 COOK, GREGORY
ORANGE Unnamed Stream

COMPLETE NOTIFICATION:
Orange Tax Map 6, Lot# 3

2008-01978 LAI FAMILY TRUST, KENNETH LAI
ALEXANDRIA Unnamed Stream

COMPLETE NOTIFICATION:
Alexandria Tax Map 404, Lot# 21

2008-01979 SUNDSTROM, ROBERT
RINDGE Unnamed Stream

COMPLETE NOTIFICATION:
Rindge Tax Map 12, Lot# 3

2008-01980 BRADSTREET, FREDERICK & JANE
CONTOOCCOOK Unnamed Stream

COMPLETE NOTIFICATION:
Contookcook Tax Map 9, Lot# 135

2008-01981 FARWELL, CLARENCE
BROOKLINE Unnamed Stream

COMPLETE NOTIFICATION:
Brookline Tax Map C, Lot# 50,51,52,56

2008-01983 HALEY, JAMES
BARRINGTON Unnamed Stream

COMPLETE NOTIFICATION:

Barrington Tax Map 269, Lot# 8

2008-01984 DALLAIRE, MAUREEN
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:

Barnstead Tax Map 15, Lot# 10-6

2008-01986 TRADITIONS VILLAGE REALTY
NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:

New Ipswich Tax Map 10, Lot# 31

2008-02012 SPEAR, JACQUELINE
NEW HAMPTON Unnamed Stream

COMPLETE NOTIFICATION:

New Hampton Tax MAp R7, Lot# 38 & 39

EXPEDITED MINIMUM

2007-01724 ONEIL REVOC TRUST, DENNIS
GREENLAND Unnamed Wetland

Requested Action:

Impact a total of 2,874 square feet of forested wetland for the construction of a pond to include 1,239 square feet of temporary wetland impacts for work space and plantings and 1,635 square feet of permanent wetland impacts for the pond construction.

Conservation Commission/Staff Comments:

The Greenland Conservation Commission did not sign the Application

APPROVE PERMIT:

Impact a total of 2,874 square feet of forested wetland for the construction of a pond to include 1,239 square feet of temporary wetland impacts for work space and plantings and 1,635 square feet of permanent wetland impacts for the pond construction.

With Conditions:

1. All work shall be in accordance with plans by Charles C. Hugo Landscape Design LLC dated April 21, 2007 and revised May 21, 2007, as received by DES on August 1, 2007.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
4. Work shall be done during seasonal low flow conditions.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Temporary impacts shall be regraded to original contours following completion of work.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The owner requests to enhance to functions and values of the existing wetlands on the property, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00933 ANNICCHIARICO, LYNN
NEW LONDON Pleasant Lake

Requested Action:

Repair an existing 36 feet of retaining wall "in kind" on Pleasant Lake, New London.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 36 feet of retaining wall "in kind" on Pleasant Lake, New London.

With Conditions:

1. All work shall be in accordance with plans as received by DES on September 02, 2008.
2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during drawdown.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls that is performed "in the dry" during draw down.

2008-00988 HERDADE, LIFE ESTATE OF JOSEPH
SALEM Unnamed Wetland

Requested Action:

Impact 142 square feet of forested wetland for the construction a roadway for access to a 6-lot residential open space subdivision.

Conservation Commission/Staff Comments:

The Salem Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 142 square feet of forested wetland for the construction a roadway for access to a 6-lot residential open space subdivision.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated March 21, 2008 and revised through July 25, 2008, as received by DES on August 28, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Rockingham Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
7. Work shall be done during seasonal low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The impacts are necessary for access to buildable upland, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts occur at the narrowest portion of wetland, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01522 ROCKY POINT LODGE INC, THOMAS WALTERS
ELKINS Pleasant Lake

Requested Action:

Repair an existing 4 ft 6 inch by 69 ft concrete dock on an average of 1025 feet of frontage on Pleasant Lake, Elkins.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 4 ft 6 inch by 69 ft concrete dock on an average of 1025 feet of frontage on Pleasant Lake, Elkins.

With Conditions:

1. All work shall be in accordance with plans as received by DES on August 07, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2008-01525 WILDES, WILLIAM
TEMPLE Unnamed Wetland

Requested Action:

Dredge and fill 2,500 sq. ft. of palustrine forested wetlands to construct a fire pond with dry hydrant.

APPROVE PERMIT:

Dredge and fill 2,500 sq. ft. of palustrine forested wetlands to construct a fire pond with dry hydrant.

With Conditions:

1. All work shall be in accordance with plans received by the Department on August 07, 2008.
2. All work shall be done in the dry, frozen conditions or low water conditions.
3. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Machinery shall not be located within surface waters, where practicable.
5. Machinery shall be staged and refueled in upland areas.
6. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
8. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards.
9. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. Post-construction photographs documenting the status of the completed project shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The applicant has provided a letter of support for the project from the Temple Volunteer Fire Department.
3. The applicant has confirmed the berm creating the dam will be less than 4 feet above the existing grade, and therefore will not require DES Dam Bureau approval.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau and the Temple Conservation Commission signed the Minimum Impact Expedited Application.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01701 MANCHESTER WATER WORKS
MANCHESTER**

Requested Action:

Impact 6 linear feet of bank within Massabesic Lake for the replacement of two (2) deteriorated discharge pipes associated with two (2) catch basins within the paved parking area.

Conservation Commission/Staff Comments:

The Auburn Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 6 linear feet of bank within Massabesic Lake for the replacement of two (2) deteriorated discharge pipes associated with two (2) catch basins within the paved parking area.

With Conditions:

1. All work shall be in accordance with plans by Manchester Water Works dated July 2, 2008 and revised August 19, 2008, as received by DES on August 25, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Work within the bank shall only occur during draw down conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Area shall be regraded to original contours following completion of work.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
2. The existing drainage structures are ineffective as they have failed, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The drainage structures will be replaced in-kind, therefore; the applicant has

provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. A NH Natural Heritage Bureau ("NHNHB") memo dated August 26, 2008 identified six (6) vertebrate species within the vicinity of the proposed impacts.

6. Due to the temporary nature of the impacts and the in-kind replacement of the structures, DES finds that none of the aforementioned NHNHB items will be adversely affected.

**2008-01718 NISOURCE/GRANITE STATE GAS TRANSMISSION
GREENLAND Unnamed Wetland**

Requested Action:

Temporarily impact a total of 5,000 square feet of wetlands at two (2) 2,500 square foot impact areas for the relocation of an existing gas pipeline along Route 33.

Conservation Commission/Staff Comments:

The Greenland Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact a total of 5,000 square feet of wetlands at two (2) 2,500 square foot impact areas for the relocation of an existing gas pipeline along Route 33.

With Conditions:

1. All work shall be in accordance with plans by North Easterly Survey dated October 23, 2007 and revised through August 13, 2008, as received by DES on August 26, 2008.
2. The applicant shall notify in writing DES Wetlands Bureau of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
3. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
7. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the right-of-way in wetlands. These materials shall be entirely removed from wetlands during restoration.
8. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
9. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. Dewatering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trench de-watering discharged within one-hundred (100) feet of any waterbody shall be discharged through a filter bag.
10. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
11. Stream banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

15. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within one month of the completion of construction.

16. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(af) Temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way.

2. The existing gas pipeline must be relocated due to the widening of Route 33, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The impacts will be temporary, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. A NH Natural Heritage Bureau ("NHNHB") memo dated August 28, 2008 identified three (3) natural communities, one (1) plant species, and two (2) vertebrate species within the vicinity of the proposed impacts.

6. Due to the temporary nature of the impacts, DES finds that none of the aforementioned NHNHB items will be adversely affected.

2008-01728 WALSH, THOMAS & LINDA
RYE BEACH Atlantic Ocean

Requested Action:

Impact a total of 7,922 square feet within the previously developed 100-foot tidal buffer zone and protected shoreland for the replacement of an existing, conforming primary structure with a conforming primary structure on the Atlantic Ocean with 165 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minium Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 7,922 square feet within the previously developed 100-foot tidal buffer zone and protected shoreland for the replacement of an existing, conforming primary structure with a conforming primary structure on the Atlantic Ocean with 165 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans received by the Department of Environmental Services ("DES") on August 27, 2008.

2. DES staff shall be notified in writing prior to commencement of work and upon its completion.

3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

8. An initial vegetation monitoring report shall be submitted to DES within 30 days following the completion of work to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Permit number and be sent to the DES Wetlands Bureau, 50 International Drive, Suite 200, Portsmouth, NH, 03801.
9. Proposed plantings shall have a 75% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 75% success rate is achieved.
10. The proposed porous paving shall be installed and maintained in accordance with the manufacturers specifications.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. There shall be no further alteration of jurisdictional areas for lot development, driveways, or for any other construction related activity outside the scope of this Permit.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The owners request to rebuild the existing structures, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The total impervious area will be reduced from 7,489 square feet to 5,189 square, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01780 WEEKS, PAULINE
LACONIA Winnisquam Lake

Requested Action:

Restore 12 linear feet of shoreline with existing rock, remove existing stump and construct a 84 sq ft perched beach, stabilize with native vegetation on 122 ft of frontage on Lake Winnisquam, Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application and submitted comments stating there is a less impacting alternative to construct a beach on the frontage

APPROVE PERMIT:

Restore 12 linear feet of shoreline with existing rock, remove existing stump and construct a 84 sq ft perched beach, stabilize with native vegetation on 122 ft of frontage on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscape Co. Inc. dated August 22, 2008, as received by DES on September 04, 2008.
2. Repair shall maintain existing size, location and configuration.
3. Planting plan shall be implemented and maintained within one year of stump/shoreline restoration completion.
4. This permit does not authorize any maintenance dredging within Wetlands jurisdiction.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. Work shall be done during drawdown and in the dry.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands and avoids excessive discharges of sediments to fish spawning areas.

9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl is completely avoided.
10. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
11. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
12. Unnecessary removal of vegetation is strictly prohibited.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 482.35). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
14. No stumps shall be removed within 50 feet of the reference line per RSA 483-B unless permitted otherwise.
15. Only existing rock shall be used for shoreline restoration.
16. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
17. This permit shall be used only once, and does not allow for annual beach replenishment.
18. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
19. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01853 8 LOVEREN LANE LLC
ALTON Lake Winnepesaukee

Requested Action:

Repair an existing 8 ft x 20 ft wharf supported by a full crib, connected to a 8 ft x 20 ft dock supported by a full crib, in a "L" shaped configuration on an average of 98 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 8 ft x 20 ft wharf supported by a full crib, connected to a 8 ft x 20 ft dock supported by a full crib, in a "L" shaped configuration on an average of 98 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group and Construction Management dated July 15, 2008, as received by DES on September 10, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

TRAILS NOTIFICATION

2008-02013 NH DEPT OF TRANSPORTATION, DISTRICT 3
NEW DURHAM Unnamed Stream

COMPLETE NOTIFICATION:
New Durham Route 11 ROW

PERMIT BY NOTIFICATION

2008-01088 KEENE DPW, CITY OF
KEENE Drainage Ditch

Requested Action:
Dredge 14,200 square feet (1,400 linear feet) of a ditched jurisdictional area.

PBN IS COMPLETE:
Dredge 14,200 square feet (1,400 linear feet) of a ditched jurisdictional area.

With Findings:

1. This project does meet the criteria of NH Administrative Rule Env-Wt 506.01(a)(3), maintenance dredging that meets the criteria in Env-Wt 303.04(k).
2. The applicant has provided additional information confirming the jurisdictional area is not a perennial stream.
3. Closed drainage flows into the ditched jurisdictional area and the jurisdictional area flows into closed drainage.
4. DES Staff conducted a field inspection of the proposed project on September 10, 2008. Field inspection determined the upland access for construction is available.
5. The applicant has confirmed a steel plate will be used to cross a small hydric drainage along the haul road in phase 3.

6. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
7. In correspondence dated June 23, 2008, the Ashuelot River Local Advisory Committee stated they had no recommendations regarding the project.

2008-01935 BAKER HILL GOLF CLUB
NEWBURY Unnamed Pond

Requested Action:
Maintenance dredge 12,475 sq. ft. of an existing man-made irrigation pond.

PBN IS COMPLETE:
Maintenance dredge 12,475 sq. ft. of an existing man-made irrigation pond.

- With Findings:
1. The Conservation Commission did not sign the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
 2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(3), maintenance dredging that meets the criteria in Env-Wt 303.04(k).
 3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2008-01953 STEVENS, KRISTI
CORNISH Field Drainage Ditch

Requested Action:
Dredge and fill approximately 180 square feet of palustrine wet meadow for access to a single family residence.

PBN IS COMPLETE:
Dredge and fill approximately 180 square feet of palustrine wet meadow for access to a single family residence.

- With Findings:
1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
 2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot for noncommercial, recreational, uses that meets the criteria in Env-Wt 303.04(z).
 3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

-Send to Governor and Executive Council-

2008-01997 KAMINSKI, ROBERT
LACONIA Paugus Bay

Conservation Commission/Staff Comments:
Con Com DID NOT sign PBN form but submitted comments with the PBN suggesting plantings be added

PBN IS COMPLETE:
Repair of an existing retaining wall

- With Findings:
- Repair of an existing retaining wall pursuant to Env-Wt 303.04(c).

2008-01998 COLE, JOHN
LACONIA Paugus Bay

Conservation Commission/Staff Comments:
Con Com signed PBN form on 09/17/08

PBN IS COMPLETE:
Repair existing 9 ft 10 inch x 38 ft full crib supported dock.

With Findings:
Repair existing docking structures pursuant to Env-Wt 303.04(v).

2008-02004 PSNH
RINDGE Unnamed Wetland

Requested Action:
Temporarily impact 1,500 sq. ft. of palustrine scrub-shrub and emergent wetlands for access to a maintenance mowing area in a PSNH right-of-way.

PBN IS COMPLETE:
Temporarily impact 1,500 sq. ft. of palustrine scrub-shrub and emergent wetlands for access to a maintenance mowing area in a PSNH right-of-way.

With Findings:
1. The Conservation Commission did not sign the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau or the Conservation Commission.

2008-02027 FAVART, EDWARD
RINDGE Unnamed Stream

Requested Action:
Dredge and fill 1,064 square feet of palustrine forested wetlands to install two 18-inch x 20-foot culverts (two wetlands crossings) for driveway access to a single family residence.

PBN IS COMPLETE:
Dredge and fill 1,064 square feet of palustrine forested wetlands to install two 18-inch x 20-foot culverts (two wetlands crossings) for driveway access to a single family residence.

With Findings:
1. The Conservation Commission did not sign the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot for noncommercial, recreational, uses that meets the criteria in Env-Wt 303.04(z).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau or the

Conservation Commission.

CSPA PERMIT

2008-01175 SANTAVICCA, ANGELA
CANAAN Goose Pond

Requested Action:

Construction of a storage shed.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Construction of a storage shed.

With Findings:

1. A request for additional information dated July 15, 2008, addressed to the applicant or agent of record, requiring the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 483-B:5-b(V)(a), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2008-01230 STASIO, JOSEPH
WAKEFIELD Great East Lake

Requested Action:

Construct a new roof over an existing nonconforming primary structure.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Construct a new roof over an existing nonconforming primary structure.

With Findings:

1. A request for additional information dated July 15, 2008, addressed to the applicant or agent of record, requiring the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 483-B:5-a(V)(a), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2008-01676 TOWLE, GEORGE
DEERFIELD Northwood Lake

Requested Action:

Impact 408 sq ft to construct a screened porch and open deck attached to a nonconforming primary structure to be rebuilt over same footprint on property having 127 ft of frontage on Northwood Lake.

APPROVE PERMIT:

Impact 408 sq ft to construct a screened porch and open deck attached to a nonconforming primary structure to be rebuilt over same footprint on property having 127 ft of frontage on Northwood Lake.

With Conditions:

1. All work shall be in accordance with plans by George Towle dated August 14, 2008 and received by the Department of Environmental Services ("DES") on August 15, 2008.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,125 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01711 TOWN OF ALLENSTOWN, SEWER COMMISSION
ALLENSTOWN Merrimack River

Requested Action:

Impact 11780 sq ft to construct/install a truck scale and expansion of paved area.

APPROVE PERMIT:

Impact 11780 sq ft to construct/install a truck scale and expansion of paved area.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated August 20, 2008 and received by the Department of Environmental Services ("DES") on August 25, 2008.
2. No more than 14.19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 104,848 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 55,642.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

CSPA PERMIT W/VARIANCE

2008-01235 CLARK, MATTHEW & DAWN
NEWBURY Sunapee Lake

Requested Action:

Impact 3,040 sq ft to replace a sewage disposal system for existing primary structure and existing apartment on property with approximately 91 ft of shoreline frontage on Lake Sunapee in Newbury.

VARIANCE APPROVED: Pursuant to RSA 483-B:9, V(i), RSA 483-B:9, V(b)(2)(A)(i) is varied to allow removal of greater than 25% of unaltered area within the Natural Woodland Buffer for installation of the proposed septic system.

APPROVE PERMIT:

Impact 3,040 sq ft to replace a sewage disposal system for existing primary structure and existing apartment on property with approximately 91 ft of shoreline frontage on Lake Sunapee in Newbury.

VARIANCE APPROVED: Pursuant to RSA 483-B:9, V(i), RSA 483-B:9, V(b)(2)(A)(i) is varied to allow removal of greater than 25% of unaltered area within the Natural Woodland Buffer for installation of the proposed septic system.

With Conditions:

1. All work shall be in accordance with plans by Pierre J. Bedard and Associates dated July 3, 2008 and received by the Department of Environmental Services ("DES") on August 29, 2008.
2. This permit includes a variance of RSA 483-B:9, V(b)(2)(A)(i) and shall not be effective until it has been recorded with the Merrimack County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. No more than 28% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 1,583.5 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. Tax cards indicate that the structure identified as the "existing studio apartment" on plans by Pierre J. Bedard dated July 3, 2008 and recieved by DES on August 28, 2008 was built in 1970 and predates the standards set forth in RSA 483-B:9 V(e).
2. The project consists of removal of greater than 25% of existing unaltered area within the Natural Woodland Buffer and therefore fails to conform to a minimum standard set forth in RSA 483-B:9, V(b)(2)(A)(i) of the Comprehensive Shoreland Protection Act.
3. In accordance with RSA 483-B:9, V(i), "the commissioner shall have the authority to grant variances from the minimum standards of this section. Such authority shall be exercised subject to the criteria which govern the grant of a variance by a zoning board of adjustment under RSA 674:33, I(b)."
4. Conformity with RSA 483-B:9, V(b)(2)(A)(i) would force the property owner to locate the proposed septic system within the abutter's well head protection radius.
5. The installation of a new improved septic system will better protect the public waterbody and therefore be consistent with the intent of the statute.

6. The proposed project will not adversely affect the public or private rights of others.
7. Granting the variance will be consistent with the public interest as the existing septic system is outdated and a potential health hazard.
8. Granting the variance will do substantial justice by allowing the property owner to maintain and enjoy a significant property right while upholding the spirit of the CSPA and preserving the private rights and interests of the public.

CSPA PERMIT W/WAIVER

2008-01232 FORTE, PRISCILLA
MIDDLETON Sunrise Lake

Requested Action:

Redevelopment of existing structure

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Redevelopment of existing structure

With Findings:

1. A request for additional information dated July 15, 2008, addressed to the applicant or agent of record, requiring the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 483-B:5-a(V)(a), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.